

Status of the Claims

Claims 1-23 were previously cancelled. Claims 24-52 are pending in the application.

The Obviousness Rejection Should Be Withdrawn

The Examiner rejected claims 24-26, 28-35, 36-38 and 40-43 under U.S.C. § 103(a) as unpatentable over Lewis (U.S. Patent No. 6,953,500) in view of Kainz (U.S. Patent No. 5,743,949).

The Examiner states on p. 2 of the Office Action that Lewis teaches a wax emulsion in which the wax may comprise a high molecular weight fatty alcohol. This is true. However, Applicants specify in independent claims 24 and 36 hydroxyfatty alcohols. Hydroxyfatty alcohols have an additional polar hydroxyl group on the alkyl chain, and are not equivalent to fatty alcohols. Thus, the specific wax components claimed by Applicants are distinct from those taught by Lewis.

In addition, the Examiner has made several other factual errors in his citations of Lewis:

- (1) The Examiner stated on p. 2 of the Office Action that Lewis teaches a wax emulsion in which the wax may comprise a high molecular weight carboxylic acid (col. 7, lines 58-67). However, the provided citation actually states of the waxes that, "in particular, they may include esters of high molecular weight carboxylic acids...." This is in contrast to Applicants' claims 24 and 36 which do not specify esters, but rather dicarboxylic acids (not carboxylic acids).
- (2) The Examiner states on p. 2 of the Office Action that isopropyl palmitate (claim 5) is a C-19 fatty alcohol. However isopropyl palmitate is actually an ester, not an alcohol. Applicants do not specify esters as primary wax components.

No obviousness rejection may be supported by factual errors such as these. In light of these remarks, the Examiner is requested to withdraw the obviousness rejection and allow the claims.

Respectfully submitted,

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